

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLN. NO. 3652 OF 2025

Vishal Dattatray Bansode
VERSUS
State Of Maharashtra

Ms. Shubhangi Parulekar a/w Ms. Grishma Parab, Advocate for the Applicant

Mr. S. H. Yadav, APP for the respondent-State

CORAM : SACHIN S. DESHMUKH, J.

DATE : 10th APRIL, 2026.

P. C. :

1. By this application, applicant is seeking regular bail in C.R. No. 326/2023 dated 14/04/2023 registered with Sangola Police Station, District Solapur for offences punishable under Sections 302, 201 and 404 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is falsely implicated in the case. There is unexplained delay of 16 long months in lodging report. In any case, the prosecution is premised on circumstantial evidence. Arrest of the applicant is effected on 26/07/2024. Investigation is complete and charge-sheet is filed. Considering the number of prosecution witnesses, there is every

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likelihood that the trial will not commence and conclude in the near future. As such, further incarceration of the applicant would be unjustified.

3. *Per contra*, learned APP opposed the application submitting that complicity of the applicant is evident from the material collected on record by the prosecution and considering the severity of the offence that the body of the deceased was 100% burnt. As such, same dis-entitles the applicant to be admitted to the bail.

4. Upon considering the submissions of learned counsel for the applicant, learned APP and perusal of material on record, it is *prima facie* evident that there is unexplained and inordinate delay of 16 long months. *Prima facie* the material collected by the prosecution does not establish seamless chain to indicate the complicity of the present applicant in the alleged incident.

5. Nevertheless, considering the incarceration of the applicant from July 2024 and charge-sheet is filed, no further purpose would be served with continued pre-trial incarceration of the applicant.

6. Apart from same, considering the number of prosecution witnesses cited by the prosecution and the fact that there is no progress in trial, I am persuaded to exercise the discretion in favour

of the applicant.

ORDER

- I. The bail application is allowed.
- II. Applicant, Vishal Dattatray Bansode be released on bail, on furnishing PR. bond in the sum of Rs.50,000/- (Rs.Fifty Thousand) with one or two local solvent sureties, in the like amount, in connection with C.R. No. 326/2023 dated 14/04/2023 registered with Sangola Police Station, District Solapour for offences punishable under Sections 302, 201 and 404 of the Indian Penal Code, on the following conditions :-

(a) The applicant shall not pressurize the prosecution witnesses and tamper with the prosecution evidence, in any manner.

(b) The applicant shall attend the trial on each and every date unless exempted by the trial Court.

(c) The applicant shall submit Aadhar and Pan Cards to the Investigating Officer and detailed address and phone numbers and two of the near relatives.

(d) In case of breach of any of the conditions by the applicant, it is open for the Prosecution to move the concerned Court seeking cancellation of bail, notwithstanding the fact that this Court has granted bail to the Applicant.

7. Needless to state that the observations rendered herein are to the extent of decision this application and the trial Court shall not be influenced by the same.

[SACHIN S. DESHMUKH, J.]